

Historic Resources Commission Meeting Minutes of May 13, 2009

Members Present: Alice Coppedge, Diane Duermit, Alice Keller, Michael Robinson, Hillary Cole, Marsha Shortell, Suzanne Jones, Jonathan Lucas, Brad Brock, Beth Gillespie, Capi Wampler

Members Absent: Rob Moody, Jack Bebbler, Todd Williams

Staff: Stacy Merten, Cristin Moody, Kelly Whitlock

Public: Mike Lauff, Harry Pierson, Trudy Galynker

Call to Order: Chair Duermit calls the meeting to order at 4:00 pm with a quorum present.

Adoption of Minutes: Commissioner Shortell moves to adopt the April 8, 2009 minutes as written.
Second by: Commissioner Wampler
Vote for: All

Consent Agenda:

Owner/Applicant: Asheville Oil Company/Bhakti Patel
Subject Property: 2 Sweeten Creek Rd.
Hearing Date: May 13, 2009
Historic District: Biltmore Village
PIN: 9647-79-7741
Zoning District: CI (Commercial Industrial)
Other Permits: Building & Zoning

Commission Comments/Discussion

Chair Duermit asks if there are any questions or concerns about the application. Commissioner Jones indicates that she has some concerns. Ms. Merten clarifies that the application is for the currently existing sign; the new business simply changed the sign face and they need approval and a variance since the existing sign pole is non-conforming. They did apply for a sign permit before it was installed, but were not informed about the HRC requirements at that time. Staff and the Executive Committee recommend approving the variance since the property is non-conforming, on the edge of the Village and the sign pole was already existing; the new sign face allows the sign pole to be utilized. The signage can be brought into compliance when the property is redeveloped. Commissioner Jones disagrees and believes it is important to improve upon the signage in the Village and bring it into compliance as the opportunities arise. Chair Duermit asks for a straw vote on how many Commissioners would [leave on consent agenda?] and approve the application. A majority of Commissioners indicate they would approve it as submitted. Commissioner Keller expresses concern that one of the reasons cited is that the applicant did not know of the HRC requirement, since that reason has not been accepted in other cases. Ms. Merten notes that the applicant did apply for permits, but was apparently misinformed. Commissioners agree to remove that reason.

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – flexible development application; Exhibit B – drawing of sign; Exhibit C – photograph of sign in place; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 29th day of April, 2009, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 29th day of April, 2009 as indicated by Exhibits D and E.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to install a new 9’ X 8’ sign face on an existing pole sign. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Signs found in Book 1, Chapter 6, pages 34-42 of the *Biltmore Village General Design Guidelines and Policies* adopted on October 1, 1988, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 1. This is a non-contributing structure in the Biltmore Village District.
 2. The structure is located at the eastern edge of the district and was not originally associated with the historic areas of the Village.
 3. The sign pole was existing.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Biltmore Village Historic District.

Motion by: Commissioner Shortell

Second by: Commissioner Wampler

Vote for: Commissioners Cole, Gillespie, Robinson, Duermit, Shortell, Wampler and Brock

Vote against: Commissioners Coppedge, Jones and Keller

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Shortell

Second by: Commissioner Wampler

Vote for: Commissioners Cole, Gillespie, Robinson, Duermit, Shortell, Wampler and Brock

Vote against: Commissioners Coppedge, Jones and Keller

Public Hearings:

Agenda Item

Owner/Applicant: Gertrude Galynker

Subject Property: 38 Elizabeth Place

Hearing Date: May 13, 2009
Historic District: Montford
PIN: 9649-22-6689 & 9649-2-7753
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten shows slides of the subject property and reviews the following staff report.</p> <p>Property Description: Vacant parcel. The HRC previously approved two homes back to back on this parcel.</p> <p>Certificate of Appropriateness Request: Construct a new 1 ½ story, 2360 sq. ft. single family house with front and rear porches per attached approved plans. Structure will be finished on 1st level with smooth hardie-plank horizontal siding and cedar shingles on 2nd level. Foundation will be basement slab with concrete block piers and exposed lattice. Roof will be gable with clipped/modified hip ends and shed dormers finished with composite asphalt shingles. Details include, sleeping porch on front, exposed rafter ends, 5 1/2" miratec corner boards and 3 1/2" window surrounds with 1" cap. Porch will have 10" square posts with 2" x 2" rails grouped in pairs. Windows will be double hung, 8 over 1, SDL, extruded aluminum clad. Front door will be 9 light, SDL with sidelights. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>In order to take advantage of tax credits the applicant is requesting a final review, but has worked with staff prior to meeting to meet all guideline requirements. Staff has shared some minor modifications to front sleeping porch with applicant.</p> <p>The guidelines for New Construction: Residential Structures found on pages 56-58 in <i>The Design Review Guidelines for the Montford Historic District</i> adopted on December 8, 1999, were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval for the following reasons:</p> <ol style="list-style-type: none"> 1. The new structure is compatible with the neighborhood in terms of materials, scale and texture. 2. The new structure is sited and elevated in a similar fashion as its neighbors.
Applicant(s)	<p>Trudy Galyunker and Harry Pierson, the applicants, describe various aspects of the project. Ms. Galyunker explains that they found a design that had the interior features they like, but the exterior design was not appropriate for Montford, so they made changes to it so that it fits in with the neighborhood.</p> <p>She notes that there are existing concrete steps leading up from Elizabeth Place and they will add a concrete path from the steps to the house. They are planning a garden for the rear yard extending to Woodlawn. Their house's footprint is similar to the house that used to stand on this lot. Ms. Galyunker shows photographs of examples in Montford that have</p>

	similar features like the sleeping porch.
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Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioner Robinson makes a suggestion that the applicant might want to alter the design of the front dormer gable, to bring the gable forward some, as he has indicated on drawings that he submits. This change will make it easier for the fascia and gutters to transition from the horizontal roof line to the gable and that is also more like the Richard Sharp Smith designs.

Commissioner Wampler comments that the packet was very well put together.

Commissioner Cole refers to the site plan and notes it shows three evergreen trees to be removed but she does not see the reason. The applicant states that they are more bushes and she thought they would look odd; she hopes to do landscaping to the hillside and yard that complements the house. Ms. Merten asks how large they are; if the trunk is smaller than 6" in diameter, the property owner does not need approval to remove them. Ms. Galyunker states that they are much smaller than that. Ms. Merten suggests taking the tree removal off the application; any landscaping to that area can be reviewed as a minor work later. Ms. Galyunker asks that the tree removal be deleted from the application.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – new construction checklist; Exhibit B – renderings of front and rear (2 pages); Exhibit C – elevation drawings (4 pages); Exhibit D – floor plans (2 pages); Exhibit E – site plan; Exhibit F – aerial image showing proposed footprint; Exhibit G – 1917 Sanborn map (2 pages); Exhibit H – streetscape storyboard; Exhibit I – examples of other houses in the neighborhood (2 pages); Exhibit J – window and door specifications (10 pages); Exhibit K – photograph of the property from Elizabeth Place; Exhibit L – amended rendering of front gable submitted by Commissioner Robinson; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 29th day of April, 2009, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 29th day of April, 2009 as indicated by Exhibits M and N.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is for construct a new 1½ story, 2360 sq. ft. single family house with front and rear porches per attached approved plans. Structure will be finished on 1st level with smooth hardie-plank horizontal siding and cedar shingles on 2nd level. Foundation will be basement slab with concrete block piers and exposed lattice. Roof will be gable with clipped/modified hip ends and shed dormers finished with composite asphalt shingles. Details include, sleeping porch on front, exposed rafter ends, 5½" Miratec corner boards and 3½" window surrounds with 1" cap.

Porch will have 10" square posts with 2" x 2" rails grouped in pairs. Windows will be double hung, 8-over-1, SDL, extruded aluminum clad. Front door will be 9 light, SDL with sidelights. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for New Construction: Residential Structures found on pages 56-58 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.

5. This application **does** meet the design guidelines for the following reasons:

1. The new structure is compatible with the neighborhood in terms of materials, scale and texture.
2. The new structure is sited and elevated in a similar fashion as its neighbors.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Jones

Second by: Commissioner Shortell

Vote for: Commissioners Gillespie, Robinson, Lucas, Coppedge, Duermit, Shortell, Jones, Keller, Wampler and Brock

Vote against: Commissioner Cole

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Jones

Second by: Commissioner Shortell

Vote for: Commissioners Gillespie, Robinson, Lucas, Coppedge, Duermit, Shortell, Jones, Keller, Wampler and Brock

Vote against: Commissioner Cole

Agenda Item

Owner/Applicant: Thomas & Emma Priester/Mike Lauff, Mountain Housing Opportunities

Subject Property: 14 Blake St.

Hearing Date: May 13, 2009

Historic District: Montford

PIN: 9649-12-4292

Zoning District: RM-8

Other Permits: Building

Staff Comments

Ms. Merten shows slides of the subject property and reviews the following staff report.

Property Description: 2- story masonry/board & batten sided structure with small front porch. Constructed @ 1907.

Certificate of Appropriateness Request: Remove chimney in poor repair.
All permits, variances, or approvals as required by law must be

	<p>obtained before work may commence.</p> <p>HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>Although the chimney is partially visible from the street, it is not a major character defining feature. Staff recommends approval provided: 1) additional photographs are submitted to document the character of the existing chimney; 2) the interior structure remains intact; 3) The bricks are retained on site for future use.</p> <p>The guidelines for Chimneys found on pages 40-41 in <i>The Design Review Guidelines for the Montford Historic District</i> adopted on December 8, 1999, were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval with conditions</p> <ol style="list-style-type: none"> 1. The chimney is in very poor condition and is hazardous in its current state. 2. The chimney is not a major character defining feature of this structure. 3. Documentation will be provided to allow for future reconstruction.
Applicant(s)	<p>Mike Lauff, the applicant, describes the project and informs the Commission that the property owner is a low income individual. The chimney is in bad repair and is in danger of collapsing. He states that the cost of repairing it is several thousand dollars more than taking it down. They are going to reroof the house to repair to prevent further water intrusion and would like to remove this non-functioning chimney as well.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioners discuss the idea that the chimney is not a major character defining feature and if it is documented and the bricks are saved, it can be rebuilt in the future. Commissioners debate whether it is worthwhile to salvage the bricks, noting that some might not be in good condition to reuse. Most Commissioners feel that as many should be saved as possible.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – photographs of house (4 pages); Exhibit B – close up photographs showing chimney condition (2 pages); Exhibit C – roof plan showing chimney location; and the Commission’s actual inspection and review of subject property by all members except Commissioner Lucas;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 29th day of April, 2009, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 29th day of April, 2009

as indicated by Exhibits D and E.

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. Application is to remove a chimney in poor repair. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Chimneys found on pages 40-41 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.

5. This application **does** meet the design guidelines for the following reasons:

1. The chimney is in very poor condition and is hazardous in its current state.
2. The chimney is not a major character defining feature of this structure.
3. Documentation will be provided to allow for future reconstruction.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Brock

Second by: Commissioner Shortell

Vote for: Commissioners Cole, Gillespie, Robinson, Lucas, Duermit, Shortell, Jones, Keller, Wampler and Brock

Vote against: Commissioner Coppedge

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

With the following condition:

A good faith effort shall be made to salvage and store on site any bricks that are intact.

Motion by: Commissioner Brock

Second by: Commissioner Shortell

Vote for: Commissioners Cole, Gillespie, Robinson, Duermit, Shortell, Jones, Keller, Wampler and Brock

Vote against: Commissioners Coppedge and Lucas

Agenda Item

Owner/Applicant: Terry Edgerton
Subject Property: 26 Courtland Ave.
Hearing Date: May 13, 2009
Historic District: Montford
PIN: 9649-12-1040
Zoning District: RS-8
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten shows slides of the subject property and reviews the following staff report.</p> <p>Property Description: Early to mid 20th century 1-story asbestos sided cottage.</p> <p>Certificate of Appropriateness Request: Install 12' x 24' accessory structure on rear of lot behind main structure. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements: This is an after the fact request for CA, however the form and materials of the proposed structure are not compatible with the main house or other houses in the district.</p> <p>The guidelines for Carriage Houses, Garages and Outbuildings found on pages 52-53 in <i>The Design Review Guidelines for the Montford Historic District</i> adopted on December 8, 1999, were used to evaluate this request.</p> <p>Staff Recommendation: Staff does not recommend approval for the following reasons:</p> <ol style="list-style-type: none"> 1. The form and materials of the proposed structure are not compatible with the main house or other houses in the district.
Applicant(s)	<p>Mr. Edgerton, the property owner, describes how this accessory structure came to be on his property. He states that he needs it to store equipment and he had intended for it to be turned so the porch is facing the front. He will also put a concrete block foundation covered with stucco after it is turned around.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

<p>Commissioners agree that this structure is not appropriate as it is; although the siting and general form are fine, features like the vinyl windows and metal roll-up garage door are not. The applicant is asked whether or not he would be willing to have a design team out to make recommendations on how to bring the structure into compliance. Mr. Edgerton agrees; he asks for a design team and a continuance to the June, 2009 meeting.</p> <p>Commissioners Shortell, Coppedge, Robinson and Lucas volunteer to be on the design team.</p>
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Commission Action

<p>Commissioner Shortell moves to continue the application to the June 10, 2009 meeting. Second by: Commissioner Keller Vote for: All</p>

Other Business:

Election of officers: Commissioner Wampler, representing the Nominating Committee, moves nominate the following slate of officers for the 2009-2010 year:

Diane Duermit, to continue as chair

Alice Coppedge to continue as vice chair

Michael Robinson to continue as secretary

Hillary Cole to serve as treasurer

Second by: Commissioner Gillespie

Vote for: All

Commissioner Shortell asks to be excused from the meeting.

Commissioner Gillespie moves to excuse Commissioner Shortell.

Second by: Commissioner Brock

Vote for: All

Guidelines Committee update: Ms. Merten reports that the joint Committee of HRC members and Montford Liaison Committee members met and discussed how to proceed. The Montford representatives are Susan Eggerton, Karen Kellow and Bill Wheeler. They have requested expediting several of the topics that they worked on, to hopefully have them approved by late summer or early fall. The full Commission is asked to consider this course.

Commissioner Brock moves to prioritize the guidelines for landscaping and trees, walkways, fences, and paint.

Second by: Commissioner Coppedge

Vote for: All

Buncombe County support request: Ms. Merten informs Commissioners that Buncombe County did put a line item in their budget for the HRC in the amount of \$5,000. All members are encouraged again to lobby County Commissioners to ensure it stays in through the process.

Other Comments: Ms. Merten informs the board that there has been some controversy over the lion and stag statues at the Bohemian Hotel; she has received several complaints, but there is nothing in the guidelines regarding statuary. She will ask The Bohemian to paint or stain them so they are not so white, but the Commission may want to revise the guidelines to add specific standards for statuary.

Another issue is A-frame signs in Biltmore Village. Ms. Merten informs Commissioners that the UDO is being updated to expand the use of A-frame signs in the City and they will be permitted in the Village. She asks if the HRC would be willing to amend the guidelines to also allow them. Some business owners have been using them anyway on the weekends and some businesses feel they are necessary to attract customers. Commissioners agree to consider revising the guidelines.

Commissioner Jones moves to adjourn the meeting.

Second by: Commissioner Gillespie

Vote for: All

The meeting is adjourned at 6:20 pm.